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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

UNITED STATES OF AMERICA for the use of NORTH STAR TERMINAL & STEVEDORE COMPANY, d/b/a NORTHERN STEVEDORING & HANDLING, and NORTH STAR TERMINAL & STEVEDORE COMPANY, d/b/a NORTHERN STEVEDORING & HANDLING, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of SHORESIDE PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE, and SHORESIDE PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE, on its own behalf,

Intervening Plaintiffs,

No. 3:98-cv-9 (HRH)

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER ROCK PRODUCTS, INC.; UNITED STATES FIDELITY AND GUARANTY COMPANY; and ROBERT A. LAPORE,

Defendants.

**MEMORANDUM IN SUPPORT OF MOTION TO STRIKE PLAINTIFF'S OPPOSITIONS  
TO UNITED STATES FIDELITY AND GUARANTY COMPANY'S MOTION FOR  
SUMMARY JUDGMENT ON PLAINTIFF'S BAD FAITH CLAIM; MOTION FOR  
SUMMARY JUDGMENT ON PLAINTIFF'S STATE LAW CLAIMS RE: STATUTE OF  
LIMITATION; MOTION TO BAR THE INTRODUCTION OF MR. CALLOW'S OPINION,  
TESTIMONY, AND REPORT; AND MOTION FOR SUMMARY JUDGMENT ON  
PLAINTIFF'S PUNITIVE DAMAGE CLAIM**

USF&G filed the Motions referenced in the instant Motion filed herewith, with Oppositions due May 16, 2006. No Oppositions were timely filed, and any filed after that date should be stricken. An appropriate order is lodged with the court.

Dated this 19<sup>th</sup> day of May, 2006.

/s Herbert A. Viergutz

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of this document was served by electronic notification on this 19th day of May, 2006, to:

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